

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 16, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-36623 – EXTENSION OF TIME – SITE DEVELOPMENT
PLAN REVIEW - APPLICANT/OWNER: CM SAGEBRUSH 1-3082 LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review (SDR-9666) shall expire on November 7, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-9666) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject property is currently undeveloped land with a previously approved Site Development Plan Review (SDR-9666) for a 3,710 Service Station without incidental Auto Repair with an accessory Car Wash, a 5,504 square-foot Tavern, a 3,600 square-foot Retail Element, and waivers of building placement and foundation landscaping requirements. The property is dirt with wild plants, but not unsightly nor covered with trash/debris. The applicant has not submitted plans for plan check review nor have any building permits been issued for the proposed development. The surrounding properties are undeveloped land with no proposed or approved entitlements.

The applicant has not met the requirements of Title 19.18.050 to exercise the entitlement and is requesting an Extension of Time to secure funding for the proposed project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a request to Petition to Annex (ANX-5528) approximately 529 acres of property generally located north of Iron Mountain Road and west of Hualapai Way with an effective date of 06/10/05. The Planning Commission recommended approval on 12/16/04.
11/07/07	The City Council approved a request for a Rezoning (ZON-9662) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 2.48 acres at the southwest corner of Oso Blanca Road and Kyle Canyon Road. The Planning Commission recommended approval on 11/17/05.
	The City Council approved a related request for a Special Use Permit (SUP-9664) for a proposed Service Station.
	The City Council approved a related Special Use Permit (SUP-9665) for a proposed Liquor Establishment (Tavern).
	The City Council approved a related request for a Site Development Plan Review (SDR-9666) for a 3,710 square-foot Service Station without incidental Auto Repair with an accessory Car Wash, a proposed 5,504 square-foot Tavern, a 3,600 square-foot Retail Element; and waivers of building placement and foundation landscaping requirements.

<i>Related Building Permits/Business Licenses</i>
There are no business licenses or building permits issued for the proposed uses.
<i>Pre-Application Meeting</i>
A pre-application meeting is not required for this type of application, nor was one held.
<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this type of application, nor was one held.

<i>Details of Application Request</i>
<i>Site Area</i>
Gross Acres 2.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land- Proposed Service Station with Car Wash, Tavern, and Retail Element	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped Land	SC (Service Commercial)	U(Undeveloped)[SC (Service Commercial) General Plan Designation]
South	Undeveloped Land	SC (Service Commercial)	U(Undeveloped)[SC (Service Commercial) General Plan Designation]
East	Undeveloped Land	SC (Service Commercial)	U(Undeveloped)[SC (Service Commercial) General Plan Designation]
West	Undeveloped Land	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Site Development Plan Review (SDR-9666) for a 3,710 square-foot Service Station without incidental Auto Repair with an accessory Car Wash, a 5,504 square-foot Tavern, a 3,600 square-foot Retail Element; and waivers of building placement and foundation landscaping requirements on 2.49 acres at the southwest corner of Kyle Canyon Road and Oso Blanca Road. The applicant has not made any progress on the proposed project by submitting plans for plan check or the issuance of building permits. The area surrounding the subject site is undeveloped land without approved entitlements.

Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site, unless otherwise specified in connection with its approval.

FINDINGS

The Site Development Plan Review (SDR-9666) has not met the requirements outlined in Title 19.18.050 as no permits have been issued for the proposed project. No new development or changes in land use in the surrounding areas have occurred, nor are there any Code Enforcement violations for the subject site. The applicant is requesting an Extension of Time to secure funding for the project. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review (SDR-9666) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0